

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI **FILED**

IN THE ESTATE OF  
JACK IVY PORTER, DECEASED.

OCT 13 1997

WE DAVIS, CLERK

BY: MARJORIE WARREN PORTER, PETITIONER

CAUSE NO. 97-10142

DECREE PROBATING AS MUNIMENT OF TITLE ONLY  
THE LAST WILL AND TESTAMENT OF JACK IVY PORTER

This cause came on to be heard upon the duly verified Petition of MARJORIE WARREN PORTER, praying for the Probate of the Last Will and Testament of JACK IVY PORTER, and upon hearing same, the Court does find and adjudicate as follows:

That Jack Ivy Porter died on the 20th day of APRIL, 1997, a legal resident of Memphis, Shelby County, Tennessee at the time of his death.

That among the decedent's papers was found a certain document, dated August 3, 1992, purporting to be the Last Will and Testament of Jack Ivy Porter. Also, a First Codicil of the Last Will and Testament of Jack Ivy Porter was found, dated February 8, 1995. That both documents have been presented to this Court in the Petition for Admission to Probate as Muniment of Tile Only. The Last Will and Testament purports to give, devise and bequeath all of his property, both real and personal, to his Wife, the Petitioner, Marjorie Warren Porter.

That at the time of his death, Jack Ivy Porter owned certain realty located in Desoto County, Mississippi, and therefore, his Last Will and Testament gives, devises and bequeaths this real property to the Petitioner, MARJORIE WARREN PORTER.

A legal description of the real property is as follows:

7 acres, more or less, in the South one-half of the North one-half of Section 26, Township 1 South, Range 7 West, more fully described commencing at the Northwest corner of said section 26; thence South 1980 Feet to a point in the center of Malone Road, being the point

of beginning; thence East 660.0 Feet to an iron pin; thence South 460 Feet to a point; thence West 660 Feet to a point in the center of Malone Road 460 Feet to the point of beginning, less and except a right of way of West side of said property 25 Feet in width for Malone Road.

EXCEPTING a tract of land containing 1.15 acres, more or less, being known as Lot No. 3 of the Jack I. Porter Minor Subdivision (unrecorded), being located in part of the South Half of the North Half of Section 26, Township 1 South, Range 7 West, Desoto County, Mississippi, and being more particularly described as follows, to-wit:

BEGINNING at an iron pin (set), said iron pin being 3,053.10 feet northwardly and 447.26 feet eastwardly of the commonly accepted Southwest corner of said Section 26; thence North 00 degrees 43 minutes 27 seconds East 238.24 feet to an iron pin (set) in the South right-of-way line to an iron pin (found); thence South 00 degrees 40 minutes 24 seconds West 237.40 feet to an iron pin (set); thence North 89 degrees 50 minutes 08 seconds West 211.12 feet to the point of Beginning and containing 1.15, more or less, acres of land.

This is the same land that was conveyed from Jack I. Porter and Wife, Marjorie W. Porter to Scott A. Porter and Wife, Margaret E. Porter, by Warranty Deed of Gift, filed in the land records at the Desoto County Chancery Clerk's Office, on December 1, 1992 and recorded on December 2, 1992 in Deed Book 251, Page 659.

Further excepting the following:

Three (3) acres, more or less, in the South One-half of the North One-Half of Section 26, Township 1, South, Range 7 West, more fully described as commencing in the Northwest corner of said Section 26; thence south 2,242 feet to a point; being the point of beginning; thence East 660 feet to a point; thence South 198 feet to a point; thence West 660 feet to a point; thence North along the center of Malone Road 198 feet to the point of beginning, LESS AND EXCEPT a right of way on the West side of said property 25 feet in width for Malone Road.

This is the same property conveyed by Jack I. Porter and wife, Marjorie W. Porter to Eddy Smith and Jack Smith, Jr. by Warranty Deed dated August 5, 1997, and recorded in Book 91, Page 35, in the Land Records in the Chancery Clerk's Office of Desoto County, Mississippi.

That the Will and Testament and First Codicil of JACK IVY PORTER, deceased, appointed as Executrix, th Petitioner, MARJORIE WARREN PORTER.

That JACK IVY PORTER, the decedent, left the Petitioner, MARJORIE WARREN PORTER, as the sole beneficiary of his will and she has signed a waiver and consent to service of process.

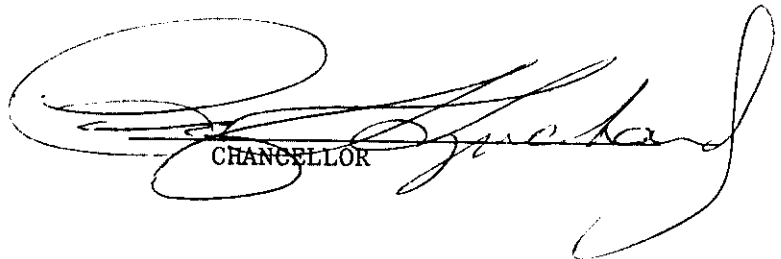
That at the time of his death, the personal estate of JACK IVY PORTER, in

the State of Mississippi, did not exceed the sum of \$10,000.00 exclusive of exempt property.

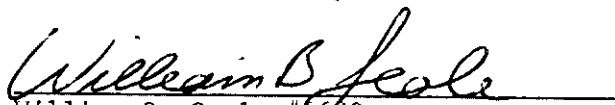
That all the just debts of the deceased have been paid and there are no Mississippi State tax or fiduciary accounts owing, due or payable and the requirements of Section 27-7-69 and Section 27-9-41, Mississippi Code 1972 as Annotated and Amended have been met.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Last Will and Testament of JACK IVY PORTER be hereby admitted to probate as Muniment of Title Only.

SO ORDERED, ADJUDGED, AND DECREED this the 13<sup>th</sup> day of OCTOBER, 1997.

  
CHANCELLOR

Presented to Court by:

  
William B. Seale #6689  
Attorney For Petitioner

*ml* STATE MS. - DESOTO CO.

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BK 323 PG 312  
W.E. DAVIS CH CLK.

CHANCERY COURT  
STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is a true copy of the original filed in this office.  
This the 13 day of October, 1997  
W. E. DAVIS, Clerk of the Chancery Court  
By J. K. L. D.C.